

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

v.)

Civil Action No. 04-1315 (GMS)

KMART CORPORATION,)

Defendant.)
_____)

STIPULATION AND ORDER OF DISMISSAL

Pursuant to Fed. R. Civ. P. Rule 41(a), the parties, through their undersigned counsel,
hereby stipulate to the dismissal of the captioned action, with prejudice, each side to bear its own
costs and attorneys' fees.

Respectfully submitted,

Respectfully submitted,

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
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By: _____

Woody Anglade

By: _____

Michael J. Lane

Dated: Philadelphia, Pennsylvania
September 8, 2005

Dated: New York, New York
September 8, 2005

U.S. DEPARTMENT OF JUSTICE
DISTRICT OF DELAWARE
Asst. U.S. Attorney, Civil Division
1007 Orange Street, Suite 700
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By: 

Patricia C. Hannigan

Dated: Wilmington, Delaware
September 13, 2005

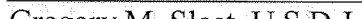
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By: 

Marty Weis

Dated: Philadelphia, Pennsylvania
September 29, 2005

SO ORDERED:


Gregory M. Sleet, U.S.D.J.